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1577 U.S. PTO
09/04/03
10/65633

PLANT PATENT APPLICATION TRANSMITTAL		<i>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</i>	<i>Attorney Docket No.</i>	002307 129400US
		<i>First Named Inventor</i>	Michael McKenry	
		<i>Title</i>	Grape Plant named RS-9	
		<i>Express Mail Label No.</i>	EV 330855925 US	

<i>ADDRESS TO:</i>	Mail Stop Patent Applications Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS	
<i>See MPEP chapters 600 & 1600 concerning plant patent application contents.</i>			
1. <input checked="" type="checkbox"/>	Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i>	7. <input type="checkbox"/>	Assignment Papers (cover sheet & document(s))
2. <input checked="" type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27.	8. <input type="checkbox"/>	37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i>
3. <input checked="" type="checkbox"/>	Specification [Total Pages 9] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Latin name of genus and species - Variety denomination - Background of the Invention - Brief Description of the Drawings - Detailed Botanical Description - A single claim - Abstract of the Disclosure	9. <input type="checkbox"/>	English Translation Document <i>(if applicable)</i>
4. <input checked="" type="checkbox"/>	Color drawing(s) [Total Sheets 3] <i>(2 copies required - 37 CFR 1.165(b))</i>	10. <input type="checkbox"/>	Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
5. Oath or Declaration	[Total Pages]	11. <input type="checkbox"/>	Preliminary Amendment
a. <input type="checkbox"/>	Newly executed (original or copy)	12. <input checked="" type="checkbox"/>	Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>
b. <input type="checkbox"/>	Copy from a prior application (37 CFR 1.63(d)) <i>(for a continuation/divisional with Box 16 completed)</i>	13. <input type="checkbox"/>	Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
i. <input type="checkbox"/>	DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	14. <input type="checkbox"/>	Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
6. <input checked="" type="checkbox"/>	Application Data Sheet. See 37 CFR 1.76	15. <input type="checkbox"/>	Other: _____ _____ _____

Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76.

 Continuation Divisional Continuation-in-part (CIP) of prior application No: _____ / _____

Prior application information: Examiner: _____ Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number	20350		or <input type="checkbox"/> Correspondence address below
Name	Matthew E. Hinsch		
Address	Townsend and Townsend and Crew LLP Two Embarcadero Center, 8th Floor		
City	San Francisco	State	CA
COUNTRY	United States	Telephone	Zip Code 94111 415-576-0200 Fax 415-576-0300

Name (Print/Type)	Matthew E. Hinsch	Registration No. (Attorney/Agent)	47,651
Signature			Date September 4, 2003

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 260)

Complete if Known

Application Number	Not Assigned
Filing Date	September 4, 2003
First Named Inventor	McKenry, Michael
Examiner Name	Not Assigned
Art Unit	Not Assigned
Attorney Docket No.	002307-129400US

METHOD OF PAYMENT (check all that apply)

Check Credit Card MoneyOrder Other None

Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	260
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$260)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fees from below	Fee Paid
Total Claims	1	-20** = 0	X\$9	\$0
Independent Claims	1	-3** = 0	X\$42	\$0
Multiple Dependent			X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130	2051	65	Surcharge - late filing fee or oath	
	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
	1053	130	1053	130	Non-English specification	
	1812	2,520	1812	2,520	For filing a request for reexamination	
	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
	1251	110	2251	55	Extension for reply within first month	
	1252	410	2252	205	Extension for reply within second month	
	1253	930	2253	465	Extension for reply within third month	
	1254	1,450	2254	725	Extension for reply within fourth month	
	1255	1,970	2255	985	Extension for reply within fifth month	
	1401	320	2401	160	Notice of Appeal	
	1402	320	2402	160	Filing a brief in support of an appeal	
	1403	280	2403	140	Request for oral hearing	
	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
	1452	110	2452	55	Petition to revive – unavoidable	
	1453	1,300	2453	650	Petition to revive – unintentional	
	1501	1,300	2501	650	Utility issue fee (or reissue)	
	1502	470	2502	235	Design issue fee	
	1503	630	2503	315	Plant issue fee	
	1460	130	1460	130	Petitions to the Commissioner	
	1807	50	1807	50	Petitions related to provisional applications	
	1806	180	1806	180	Submission of Information Disclosure Stmt	
	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
	1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	750	2801	375	Request for Continued Examination (RCE)	
	1802	900	1802	900	Request for expedited examination of a design application	
	Other fee (specify) _____					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Matthew E. Hirsch	Registration No. (Attorney/Agent)	47,651	Telephone	415-576-0200
Signature	/				
Date	September 4, 2003				

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